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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,416	07/30/2007	Kenneth Baker	030036U1	7440
23696 7590 04/12/2011 QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			EXAMINER DOAN, PHUOC HUU	
			ART UNIT 2617	PAPER NUMBER
			NOTIFICATION DATE 04/12/2011	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/534,416	<b>Applicant(s)</b> BAKER ET AL.	
	<b>Examiner</b> PHUOC DOAN	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2011.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(c)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Response to Arguments**

1. Applicant's arguments filed 01/27/2011 have been fully considered but they are not persuasive.

In response to the Applicant's remarks, pages 9-16. The Examiner strongly disagreed. Claims 1, 6, 12, 17, 21, 26, 30, 34, and 36 so broadest claimed, such as "receiving information in a wireless communication system from a repeater through a base station of a set of base station, the information being indicative of signals of said set of base stations detectable by said repeater; and updating a neighbor list based on the received information". Kuwahara discloses the same feature as a repeater detection for detecting a signal from base station, where is received as the signal directly transmitted from the base station (see Fig. 3, par [0045-0046]), the information being indicative of signals of a set of base stations detectable by the repeater based on the same feature as the repeater detected to base stations where the information of signal of base station are detected in the wireless communication network, a set of base stations is a plurality of base stations (BS1, BS2, BS3) to obtain and retrieves the IDs of its neighboring base stations for updating on the received information, for example, measurement obtained from the observed signals for PN offset signals (see

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par [0052-0053, 0074-0075]. Bassirat further support to Kuwahara to show how the technique applied to collocated base stations used repeater base station or extend in the coverage that provided identifying or detect by repeater based on collocated base station and repeater base station that allow wireless systems control in maintain the signal of channel communication between repeater base stations and base stations in collocated (see col. 8, lines 40-65, col. 13, lines 30-65, col. 15, lines 20-55).

**Examiner's note: Examiner assessment is based on the prior art (strongly recommendation in maintain the rejection) applied over broadest claimed as discussed above. Examiner will maintain the Examiner' answer to the Broad of Appeal.**

### **Claim Rejections - 35 USC § 103**

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kuwahara (US Pub No: 2003/0162550) in view of Bassirat (US Patent No. 6,507,741).

As to claim 1, 6, 12, 17, 21, 26, 30, 34, 36, Kuwahara discloses a method comprising: receiving information in a wireless communication system (Fig. 3) from a repeater through a base station of a set of base stations (paragraph [0052]), the information being indicative of signals of a set of base stations detectable by said repeater (par [0052-0053] “a repeater connected to bases stations where the information of signal of base station are detected in the wireless communication network”); and updating (par [0074-75] “obtained and change for any information have been stored on the controller server based on the change of ID of its neighboring base station, their PN offsets”) a neighbor list based on the received information (par [0074-0075] “the list of base stations and associated repeaters is stored on a server apparatus connected to the network where using the information obtained from the signal”). Kuwahara unclearly discloses receiving information in a wireless communication system from a repeater through a base station of a set of base stations, the information being indicative of signals of said set of base station detectable by said repeater). Bassirat clearly discloses receiving information in a wireless communication system from a

repeater through a base station of a set of base stations, the information being indicative of signals of said set of base station detectable by said repeater (col. 8, lines 40-65, col. 13, lines 30-65, col. 15, lines 20-55 "associated with the CDMA handoff process where to specific applied to collocated base stations used repeater base station or extend in the coverage that provided identifying or detect by repeater based on collocated base station and repeater base station that allow wireless systems control in maintain the signal of channel communication between repeater base stations and base stations in collocated"). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention provide above teaching of Bassirat to Kuwahara in order fixed or adjustable time delay and to extend in the coverage areas to complete the process of handoff (see col. 15, lines 30-62).

As to claim 2, 13, 22, 35, Kuwahara further discloses that further comprising initiating transmission of the updated neighbor list to be sent to one or more subscriber units of the wireless communication system (par [0074-0075]).

As to claim 3, 7, 14, 18, 23, 27, 31, Kuwahara further discloses wherein the information identifies a set of phase offsets detected from the signals of the set of base stations (par [0069, 0074]).

As to claim 4, 8, 15, 19, 24, 28, 32, Kuwahara further discloses wherein the information includes identification codes detected from the signals of the set of base stations (par [0074]).

As to claim 5, 9, 16, 20, 25, 29, 33, 37, Kuwahara further discloses wherein the wireless communication system comprises a code division multiple access (CDMA) system and the information identifies pseudo-random noise (PN) offsets (par [0040, 0061]).

As to claim 10, Kuwahara further discloses that further comprising identifying energy levels of the signals and sending information indicative of the energy levels (par [0041]).

As to claim 11, Kuwahara further discloses that further comprising identifying pilot symbols of the signals and sending information indicative of the identified pilot symbols (par [0068]).

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final

action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC DOAN whose telephone number is (571) 272-7920. The examiner can normally be reached on Mon-Tue, Thu-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER KINCAID can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/PHUOC DOAN/

Primary Examiner, Art Unit 2617